

Ordinance No. 2023-46

AN ORDINANCE APPROVING THE SUPPLEMENTAL SNOW PARK RESIDENCES CONDOMINIUM PLAT AT 2310 DEER VALLEY DRIVE EAST, PARK CITY, UTAH

WHEREAS, the owners of the property located at 2310 Deer Valley Drive East petitioned the City Council for approval of the Supplemental Snow Park Residences Condominium Plat; and

WHEREAS, on August 9, 2023, the *Park Record* published notice for the Planning Commission public hearing; and

WHEREAS, on August 9, 2023, staff mailed courtesy notice to property owners within 300 feet, posted notice to the Utah Public Notice Website and City Website, and posted notice to the property for the Planning Commission public hearing; and

WHEREAS, on August 23, 2023, the Planning Commission reviewed the proposed Condominium Plat and held a public hearing; and

WHEREAS, on August 23, 2023, the Planning Commission forwarded a positive recommendation for the City Council's consideration on September 28, 2023; and

WHEREAS, on September 28, 2023, the City Council reviewed the Condominium Plat and held a public hearing; and

WHEREAS, the Condominium Plat is consistent with the Park City Land Management Code, The Deer Crest Settlement Agreement, and Hotel CUP; and

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah as follows:

SECTION 1. APPROVAL. The Supplemental Snow Park Residences Condominium Plat, as shown in Attachment 1, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The St. Regis Deer Valley Supplemental Snow Park Residences Condominium Plat is located at 2310 Deer Valley Drive East.
2. This site is a part of a larger Master Planned Development known as the Deer Crest Annexation MPD and is subject to the 1995 Deer Crest Settlement Agreement, as amended by the City Council.
3. The site is located in the RD (Residential Development) Zoning District and subject to the Deer Crest Settlement Agreement and MPD.
4. On February 28, 2001 Planning Commission approved the Deer Crest Hotel CUP (formally known as the Rosewood or Hotel CUP). Amendments to the CUP were approved by the Planning Commission on July 25, 2001, March 24, 2004, May 11,

2005, April 22, 2009, and April 23, 2014, April 13, 2016, and March 11, 2020. The City Council denied an appeal of the April 22nd approval on June 18, 2009.

5. Consistent with the Settlement Agreement, the 2001 Hotel CUP allows a total density of 130 residential Unit Equivalents (UEs) with 95 UEs at the upper Roosevelt Gap Hotel parcel and 30.5 UEs at the lower funicular and Residences parcel. All of the UEs at the upper Roosevelt Gap Hotel parcel have been constructed and 12.2 UEs have been constructed at the lower funicular and Residences parcel as part of Phase 2. The funicular building includes one (1) UE. The Applicant has 4.5 remaining UEs at the upper Roosevelt Gap Hotel parcel.
6. The Hotel CUP allows for the Applicant to build the project in phases. The Supplemental Snow Park Residences is considered Phase 3 and includes a five-story condominium building with one level of garage parking and twelve condominium units totaling 16.8 UEs. This is the third and final phase of the Hotel CUP.
7. Phase 3 includes 16.8 UEs, for a total of 30 UEs at the lower funicular and Residences parcel, less than the allowed 30.5 UEs.
8. Building Height is allowed up to 45 feet in accordance with the Settlement Agreement.
9. The Applicant's plans show that one 801 square foot affordable housing unit will be located on the first floor of the Phase 3 building, completing the St. Regis' housing obligation in accordance with the St. Regis First Amended Housing Mitigation Plan.
10. A Traffic and Parking Study by Hales Engineering as part of the 2019 expansion of the Deer Crest Amenity Club at the St. Regis determined that the Hotel has sufficient parking for all of the existing and proposed uses.
11. The Hotel CUP requires a final parking plan be submitted to the Planning Department for review and approval. According to the applicant, who submitted an updated parking exhibit as part of this application (Exhibit H), a total of 374 parking spaces are required for the Hotel upon completion of all phases. The applicant expects to have 431 stalls available upon completion of Phase 3 between the three lots, exceeding their parking requirement. The updated parking exhibit confirms there will be 252 stalls between the Roosevelt Gap and Snow Park locations, meeting the 244 stall CUP requirement. The additional stalls at the Jordanelle Gondola lot give the Hotel 431 stalls in total.
12. The Hotel uses valets to assist in parking management.
13. The Snow Park Residences Phase 3 Condominium Plat complies with the Parking Requirements outlined in LMC Chapter 15-3, Off Street Parking.
14. The Snow Park Residences Phase 3 Condominium Plat complies with LMC Chapter 15-2.13, the Residential Development (RD) District, the Settlement Agreement, and the Hotel CUP.
15. The Snow Park Residences Phase 3 Condominium Plat complies with the Sensitive Land Overlay LMC Chapter 15-2.21, and a visual analysis was performed with the original CUP in 2001 and again with the CUP in 2004.
16. Staff finds Good Cause for this Condominium Plat as it is consistent with the Density, allowed Building Height, location and Uses identified in the approved Deer Valley Settlement Agreement, the Deer Valley Master Planned Development and the Hotel CUP and allows for the sale of the Condominium Units.

17. All findings within the Analysis section and the recitals above are incorporated herein as Findings of Fact.

Conclusions of Law:

1. There is good cause for this Condominium Plat as it will allow for the sale of 12 condominium units and the creation of one (1) affordable unit.
2. The Condominium Plat is consistent with the Park City Land Management Code including Sections 15-7.1-6 regarding Condominium Plats.
3. Neither the public nor any person will be materially injured by the proposed Condominium Plat.
4. Approval of the Condominium Plat, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the Condominium Plat for compliance with State Law, the Land Management Code, and the Conditions of Approval, prior to recordation of the Plat.
2. The applicant will record the Plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the Plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. All conditions of approval of the 1995 Deer Crest Settlement Agreement, as amended, continue to apply.
4. All conditions of approval of the Deer Crest Hotel CUP approved on February 28, 2001 (then known as the Rosewood CUP) and amended by the Planning Commission on July 25, 2001; March 24, 2004; May 11, 2005; and April 22, 2009 (with final approval by the City Council on appeal on June 18, 2009), April 23, 2014; April 13, 2016, and March 12, 2020, shall continue to apply.
5. The new affordable unit shall be a minimum of 800 square feet to meet the requirement of 1 AUE, consistent with the Applicant's Housing Mitigation Plan.
6. The Deed Restriction for the AUE shall be recorded prior to plat recordation, and Certificates of Occupancy shall be issued for this unit prior to the issuance of Certificates of Occupancy for any of the market rate units.
7. The CCRs shall limit the HOA dues related to the AUE in order to ensure the unit remains affordable. The CCRs shall reflect a lower par-value to reflect the reduced cost of the unit (or exempt the unit from HOA fees) to ensure that the unit doesn't lose its affordability due to such fees. The CCRs shall be submitted with the Condominium Plat for review and approval by the City prior to final Condominium Plat recordation.
8. The applicant shall maintain free and clear public access to the trails located on the St. Regis property. All trail obligations shall be completed prior to any Certificates of Occupancy for the Phase 3 building.
9. Parking shall be compliant with LMC Chapter 15-3, Off Street Parking, including bicycle parking and electric vehicle charging requirements.
10. All exterior lighting shall conform to the City's Outdoor Lighting Requirements in LMC § 15-5-5(J).

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 28th day of September, 2023.

PARK CITY MUNICIPAL CORPORATION

DocuSigned by:
Nann Worel
57775BCB46414E6

Mayor Nann Worel

ATTEST:

DocuSigned by:
Michelle Kellogg
E5F905BB533F431...

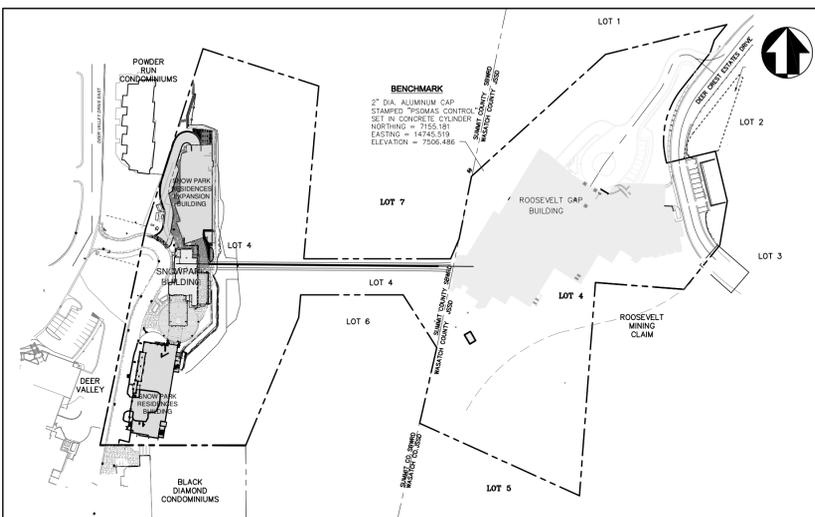
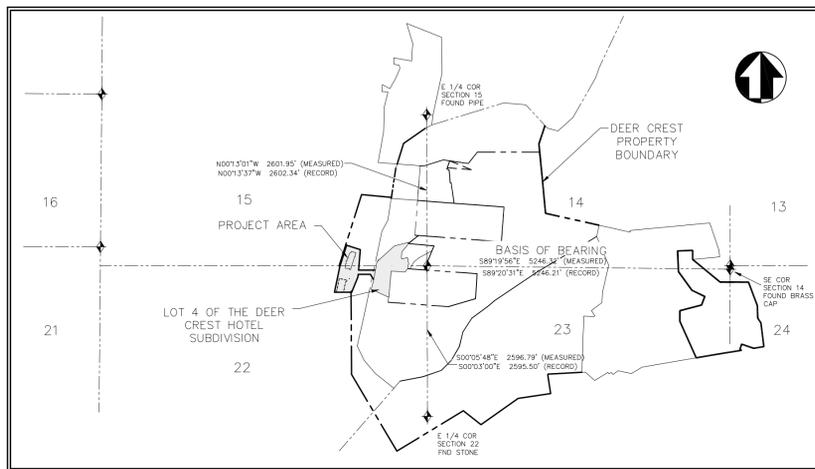
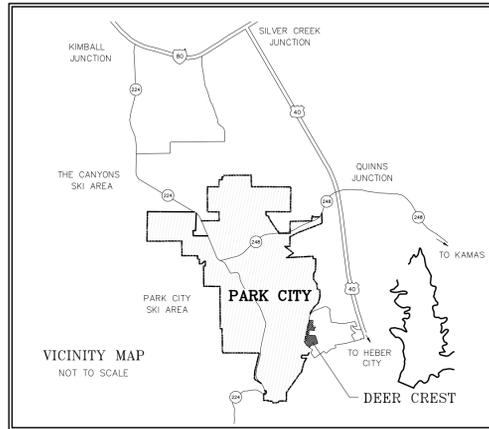

City Recorder

APPROVED AS TO FORM:

DocuSigned by:
[Signature]
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City Attorney

Exhibit A: Supplemental Snow Park Residences Condominium Plat



GENERAL NOTES

- 1. This property (the "Project") is governed by the Declaration of Covenants, Conditions and Restrictions for Snow Park Residences...
2. The Project is situated on a portion of Lot 4 of the Deer Crest Hotel Subdivision Plat...
3. All Snow Park Owners are members of the Snow Park Owners' Association...
4. The Building ties on this sheet are from the property line to the building foundation as shown.
5. The dimensions of the Snow Park Units and square footage calculations are based principally on drawings supplied by JZW Architects.
6. Certain ceilings in the Snow Park Units shown on this plat have variations, insets, enclosed duct work, and other similar architectural features...
7. Areas shown on this condominium plat as "Commercial Area / Affordable Housing / Non Condominium Property" are deed restricted employee/affordable housing units.
8. The Commercial Owner has reserved the option to expand the Project and create additional Units in accordance with the terms and conditions of the Residence Declaration.
9. The Snow Park Units are served by a Common Private Lateral Wastewater Line.
10. This plat records a total of 33,612 SF of Residential Unit area that is subject to the Unit Equivalent (UE) representing 16.81 UE.
11. The street address of the Project is: 2310 Deer Valley Drive East.
12. Public hiking and biking trails cross through the Resort.

LEGAL DESCRIPTION

SNOW PARK RESIDENCES EXPANSION BOUNDARY:

Commencing at the Northwest Corner of Lot 4, Deer Crest Hotel Subdivision Plat (amending the Roosevelt Gap Subdivision Plat), according to the official plat thereof on file and of record in the Summit and Wasatch County Recorders' Office, thence South 17° 46' 20" West 150.15 feet coincident with the west boundary of said Lot 4 to the TRUE POINT OF BEGINNING:
Thence South 89° 56' 02" East 80.11 feet;
Thence South 00° 07' 19" West 245.64 feet;
Thence South 89° 58' 58" West 87.79 feet coincident with the north line of the Snow Park Building and the prolongation thereof to the northwest corner of said building;
Thence North 55° 45' 17" West 70.08 feet to a point on the west boundary of said Lot 4;
Thence North 17° 46' 20" East 216.66 feet coincident with said west boundary to the point of beginning.
Contains 27,907 sq. ft, 0.64 acres

SURVEYOR'S CERTIFICATE:

I, S. Scott Carlson, certify that I am a Professional Land Surveyor with Twin Peaks, P.C. holding license number 187727 in accordance with Utah Code Annotated Title 58, Chapter 22, Professional Engineers and Land Surveyors Licensing Act, and that a survey of the described tract of land has been completed by me in accordance with Utah Code Annotated 17-23-17, and that I have verified all measurements and have placed monuments as shown hereon. I further certify that this Condominium Plat complies with the provisions of Section 57-8-13(1) of the Utah Condominium Ownership Act, Utah Code Annotated.



ROS #S0007782: MAY 2013
SUMMIT COUNTY, UTAH

OWNER'S CONSENT TO RECORD

Know all men by these presents, that SRDV Partners, LLC, a Delaware Limited Liability company, the undersigned owner of the hereon described land, to be known hereafter as Snow Park Residences, a Utah condominium project, does hereby certify that it has caused this plat to be prepared, and does hereby consent to the recordation of this Condominium Plat to be prepared, and does hereby consent to the recordation of this Condominium Plat.

ALSO the owner or its representatives, hereby irrevocably offers for dedication to Park City all the easements and required utilities and easements shown on this condominium plat in accordance with an irrevocable offer of dedication.

In witness hereof, the undersigned set his hand this _____ day of _____, 2023.

SRDV Partners, LLC,
a Delaware Limited Liability Company

By: _____
Print Name: _____
Title: _____

STATE OF _____)
)SS
COUNTY OF _____)

On this ____ day of _____, in the year 2023, before me _____, a notary public, personally appeared _____, the _____ of SRDV Partners, LLC, proved on the basis of satisfactory evidence to be the person whose name is subscribed to in the foregoing Owner's Consent to Record regarding Snow Park Residences and was signed by him/her on behalf of said SRDV Partners, LLC, and acknowledged that he/she executed the same.

Commission Number _____
My Commission Expires _____

Print Name: _____
A Notary Public Commissioned in Utah

SUPPLEMENTAL SNOW PARK RESIDENCES CONDOMINIUM PLAT

LOCATED IN THE NORTHEAST QUARTER OF SECTION 22 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SLB&M, PARK CITY, SUMMIT COUNTY, UTAH

SUPPLEMENTAL SNOW PARK RESIDENCES CONDOMINIUM PLAT

TWIN PEAKS Engineering & Land Surveying
2264 NORTH 1450 EAST LEHI, UTAH 84043
(801) 450-3511

DWG DATE: July 2023
PLOT DATE: 01 July 2023

SHEET 1 of 8

PUBLIC SAFETY ANSWERING POINT APPROVAL
APPROVED THIS _____ DAY OF _____, 2023.
BY: _____
SUMMIT COUNTY GIS COORDINATOR

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2023.
BY: _____
S.B.W.R.D.

CITY PLANNING COMMISSION
APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS _____ DAY OF _____ 2023.
CHAIRMAN _____

CITY ENGINEER
REVIEWED FOR CONFORMANCE WITH AVAILABLE INFORMATION IN THE PARK CITY ENGINEERING DEPARTMENT ON THIS _____ DAY OF _____ 2023
CITY ENGINEER _____

APPROVAL AS TO FORM
APPROVED AS TO FORM ON THIS DAY OF _____ 2023
CITY ATTORNEY _____

COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE COUNCIL THIS _____ DAY OF _____, 2023
BY _____
MAYOR

CERTIFICATE OF ATTEST
I CERTIFY THIS CONDOMINIUM PLAT WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2023
PARK CITY RECORDER _____

RECORDED #
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____
FEE \$ _____
DATE _____ TIME _____ BOOK _____ PAGE _____



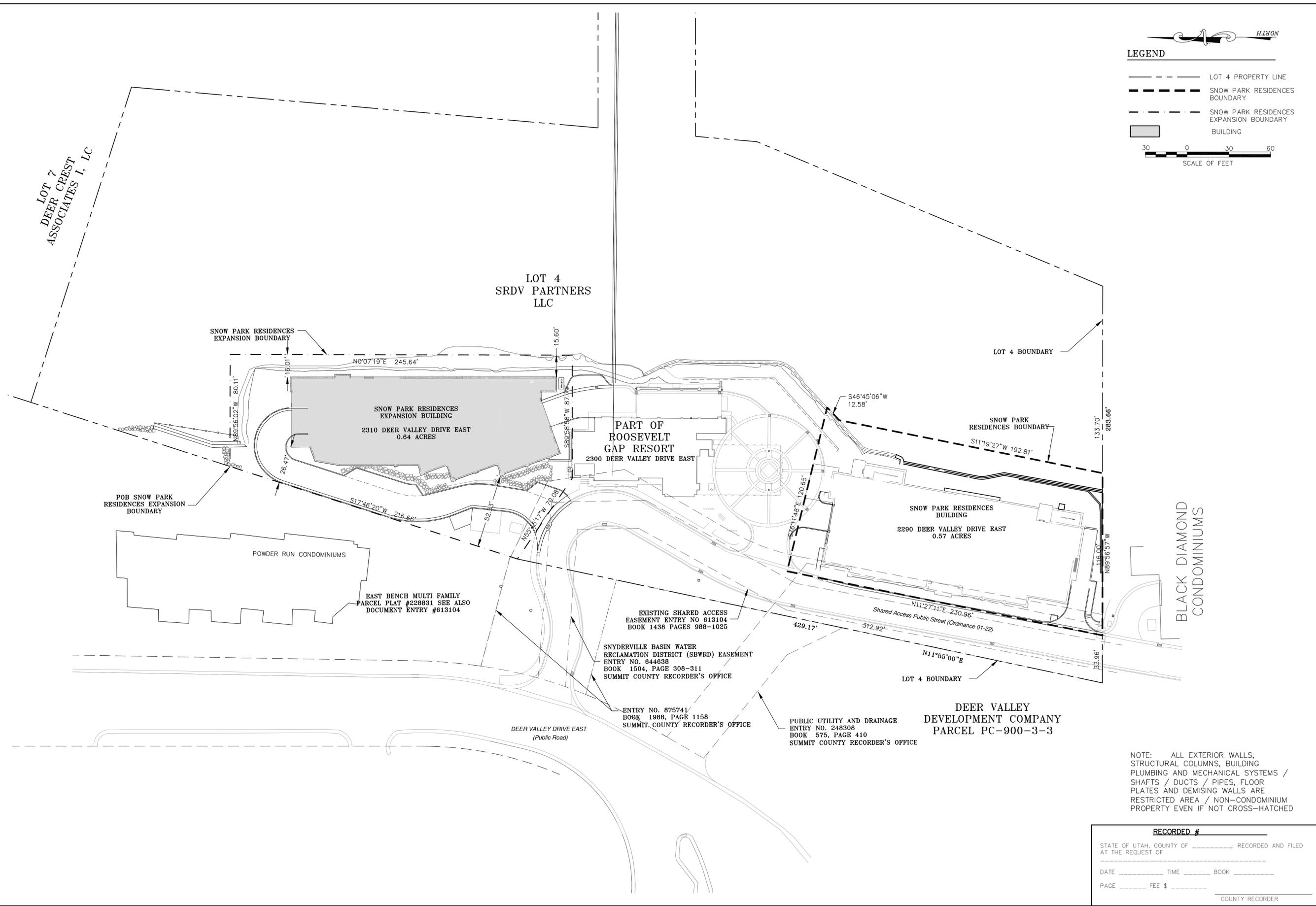
LEGEND

- LOT 4 PROPERTY LINE
- - - SNOW PARK RESIDENCES BOUNDARY
- · - · SNOW PARK RESIDENCES EXPANSION BOUNDARY
- BUILDING

30 0 30 60
SCALE OF FEET

**SUPPLEMENTAL SNOW PARK RESIDENCES
CONDOMINIUM PLAT
OVERALL SITE PLAN**

TWIN PEAKS
Engineering & Land Surveying
2264 NORTH 1450 EAST LEHI, UTAH 84043
(801) 450-3511



NOTE: ALL EXTERIOR WALLS,
STRUCTURAL COLUMNS, BUILDING
PLUMBING AND MECHANICAL SYSTEMS /
SHAFTS / DUCTS / PIPES, FLOOR
PLATES AND DEMISING WALLS ARE
RESTRICTED AREA / NON-CONDOMINIUM
PROPERTY EVEN IF NOT CROSS-HATCHED

RECORDED # _____

STATE OF UTAH, COUNTY OF _____, RECORDED AND FILED
AT THE REQUEST OF _____

DATE _____ TIME _____ BOOK _____

PAGE _____ FEE \$ _____

COUNTY RECORDER _____

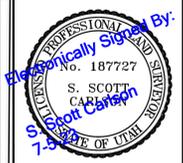
DWG DATE: July 2023

PLOT DATE: 01 July 2023

SHEET

2
8

LOT 4
SRDV PARTNERS LLC



N0°07'19"E 245.64'

OVERHEAD
FUNICULAR
TRACKS

RETAINING WALL

RETAINING WALL

N89°56'02"W 80.11'

RETAINING WALL

GARAGE
ENTRANCE

SNOW PARK RESIDENCES EXPANSION BUILDING

GARAGE
ENTRANCE

S89°58'58"W 87.79'

MAILBOX

PART OF
ROOSEVELT
GAP RESORT
(ENTRY 00886962,
NOV 20, 2009)

RETAINING WALL

ACCESS DRIVE

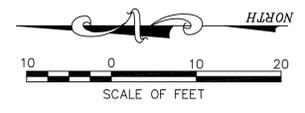
S17°46'20"W 216.66'

N55°45'17"W 70.08'

POWDER RUN
CONDOMINIUMS

LEGEND

- LOT 4 PROPERTY LINE
- - - SNOW PARK RESIDENCES EXPANSION BOUNDARY
- TRAIL
- OWNER ACCESS AREAS / COMMON EASEMENTS
- ▨ RESTRICTED AREAS / NON-CONDOMINIUM PROPERTY / NO COMMON EASEMENT
- BUILDING (SEE SHEETS 4-8)



NOTE: ALL EXTERIOR WALLS, STRUCTURAL COLUMNS, BUILDING PLUMBING AND MECHANICAL SYSTEMS / SHAFTS / DUCTS / PIPES, FLOOR PLATES AND DEMISING WALLS ARE RESTRICTED AREA / NON-CONDOMINIUM PROPERTY EVEN IF NOT CROSS-HATCHED

RECORDED #

STATE OF UTAH, COUNTY OF _____, RECORDED AND FILED AT THE REQUEST OF _____

DATE _____ TIME _____ BOOK _____

PAGE _____ FEE \$ _____

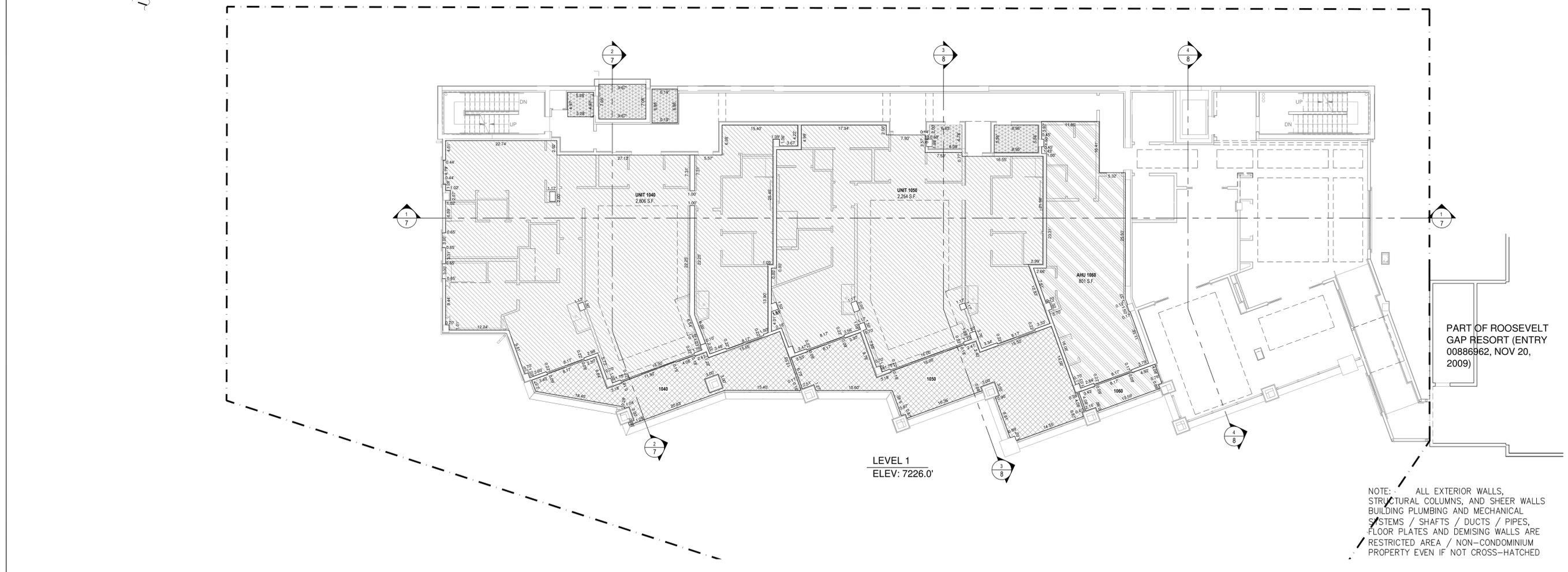
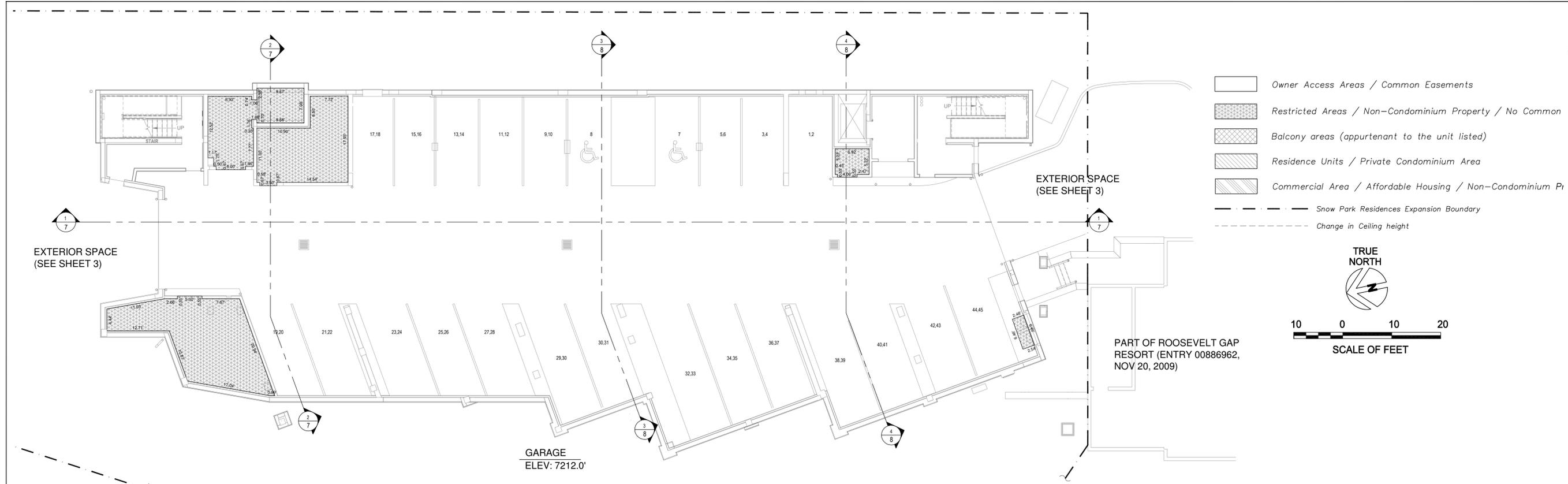
COUNTY RECORDER

SUPPLEMENTAL SNOW PARK RESIDENCES
CONDOMINIUM PLAT
OUTSIDE LAND USE



DWG DATE: July 2023
PLOT DATE: 01 July 2023

SHEET
3
OF
8



NOTE: ALL EXTERIOR WALLS, STRUCTURAL COLUMNS, AND SHEER WALLS BUILDING PLUMBING AND MECHANICAL SYSTEMS / SHAFTS / DUCTS / PIPES, FLOOR PLATES AND DEMISING WALLS ARE RESTRICTED AREA / NON-CONDOMINIUM PROPERTY EVEN IF NOT CROSS-HATCHED



SUPPLEMENTAL SNOW PARK RESIDENCES
 CONDOMINIUM PLAN
 GARAGE AND LEVEL 1



DWG DATE: July 2023
 PLOT DATE: 05 July 2023

SHEET
 4
 OF 8



SUPPLEMENTAL SNOW PARK RESIDENCES
CONDOMINIUM PLAT
LEVELS 2 AND 3

TWIN PEAKS
Engineering & Land Surveying
2264 NORTH 1450 EAST LEHI, UTAH 84043
(801) 450-3511

DWG DATE: July 2023
PLOT DATE: 05 July 2023

SHEET
5
OF
8

-  Owner Access Areas / Common Easements
-  Restricted Areas / Non-Condominium Property / No Common Easement
-  Balcony areas (appurtenant to the unit listed)
-  Residence Units / Private Condominium Area
-  Commercial Area / Affordable Housing / Non-Condominium Property
-  Snow Park Residences Expansion Boundary
-  Change in Ceiling height



PART OF ROOSEVELT GAP RESORT (ENTRY 00886962, NOV 20, 2009)

LEVEL 2
ELEV: 7237.5'

LEVEL 3
ELEV: 7248.5'

PART OF ROOSEVELT GAP RESORT (ENTRY 00886962, NOV 20, 2009)

NOTE: ALL EXTERIOR WALLS, STRUCTURAL COLUMNS, AND SHEER WALLS BUILDING PLUMBING AND MECHANICAL SYSTEMS / SHAFTS / DUCTS / PIPES, FLOOR PLATES AND DEMISING WALLS ARE RESTRICTED AREA / NON-CONDOMINIUM PROPERTY EVEN IF NOT CROSS-HATCHED



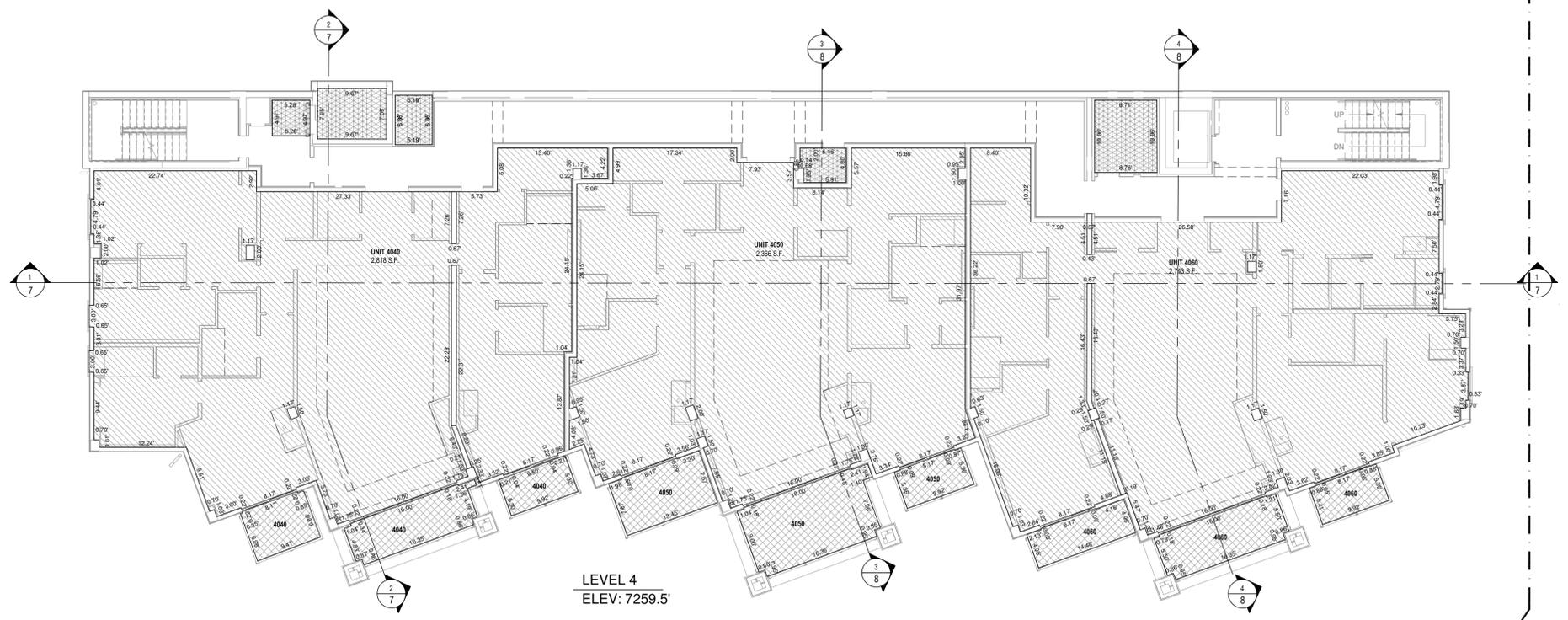
SUPPLEMENTAL SNOW PARK RESIDENCES
CONDOMINIUM PLAT
LEVELS 4 AND 5



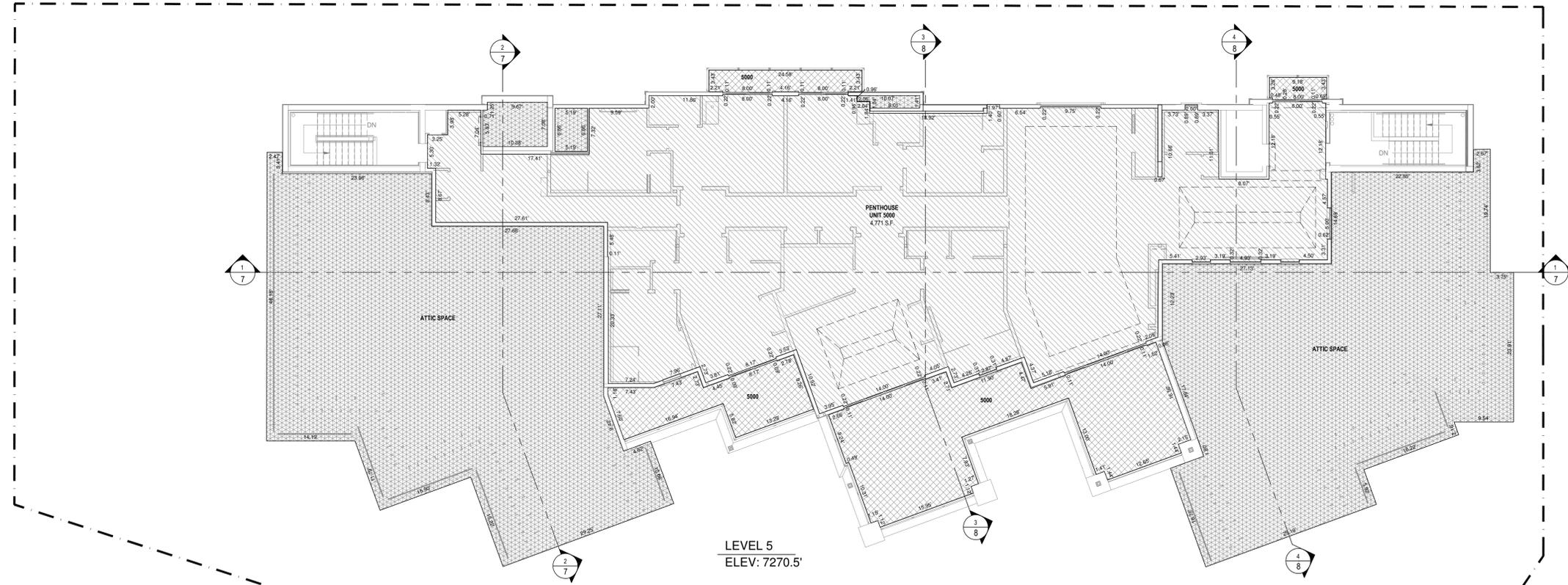
DWG DATE: July 2023
PLOT DATE: 05 July 2023

SHEET
6
OF
8

-  Owner Access Areas / Common Easements
-  Restricted Areas / Non-Condominium Property / No Common Easement
-  Balcony areas (appurtenant to the unit listed)
-  Residence Units / Private Condominium Area
-  Commercial Area / Affordable Housing / Non-Condominium Property
-  Snow Park Residences Expansion Boundary
-  Change in Ceiling height

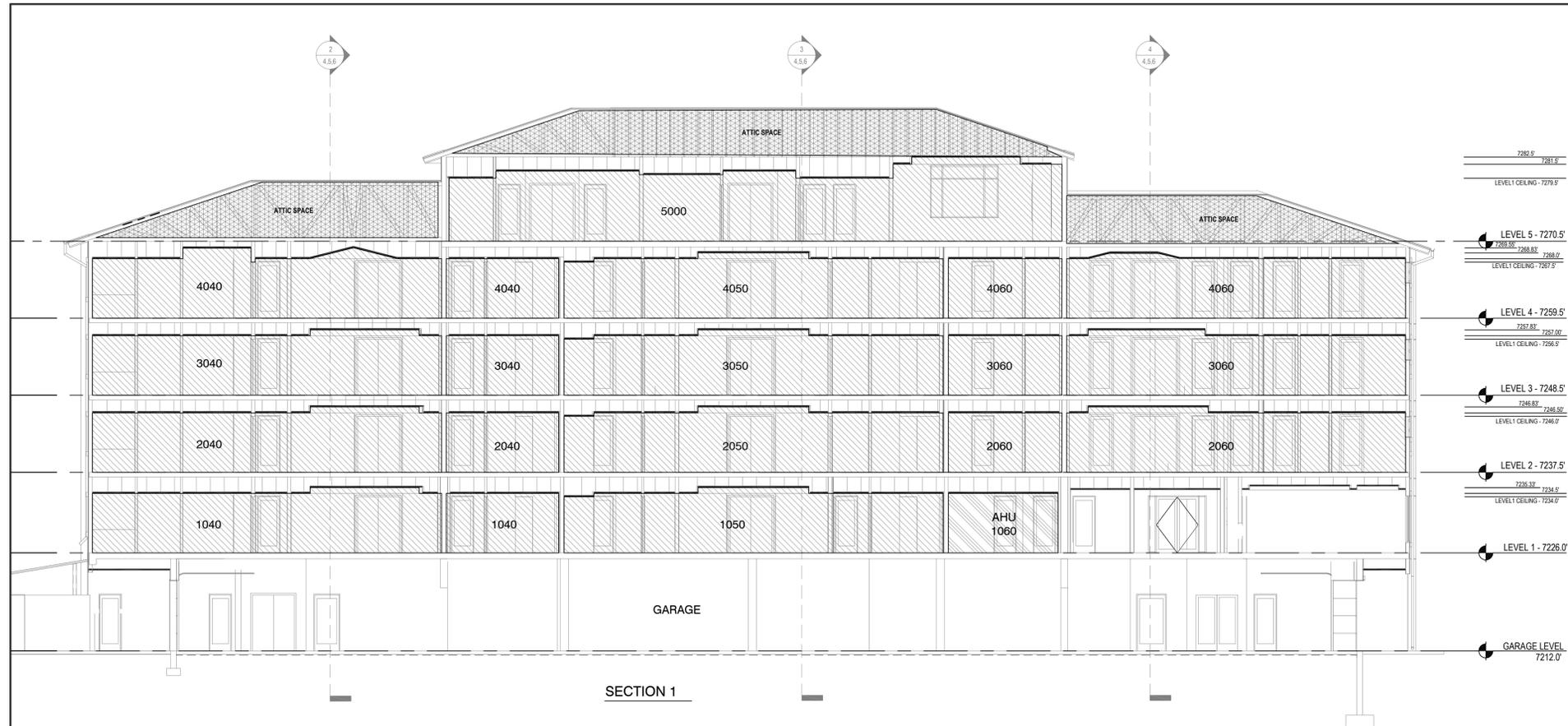


LEVEL 4
ELEV: 7259.5'

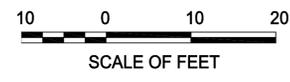


LEVEL 5
ELEV: 7270.5'

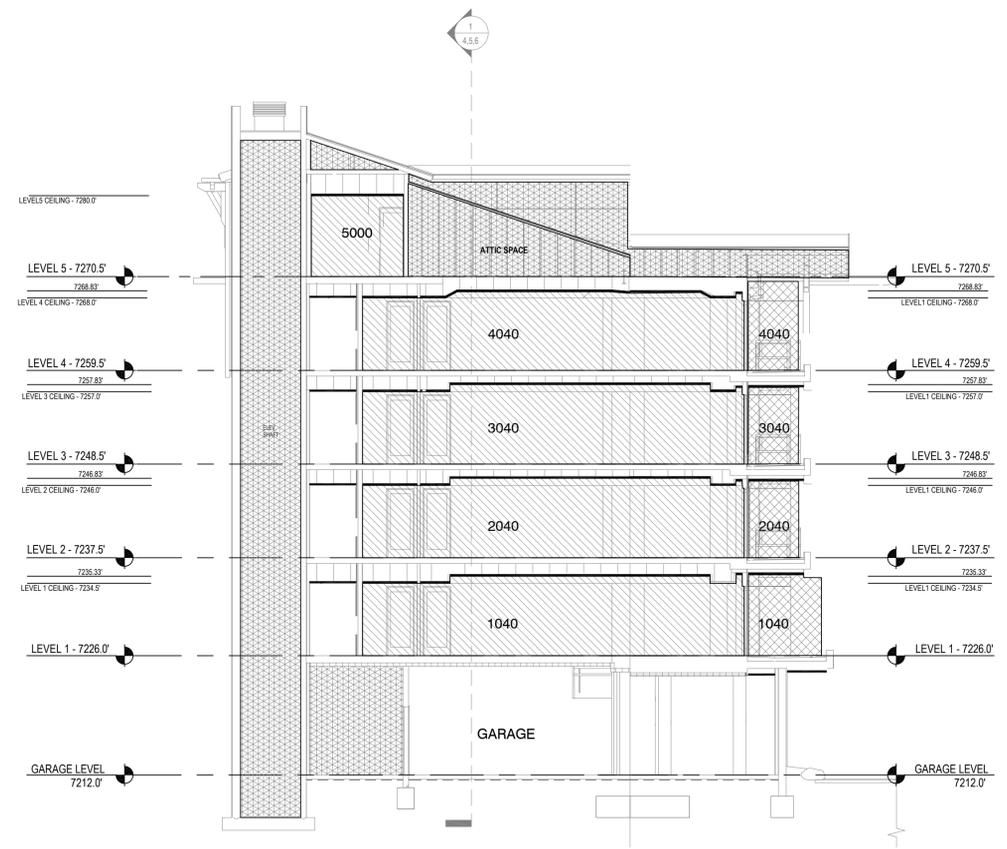
NOTE: ALL EXTERIOR WALLS, STRUCTURAL COLUMNS, AND SHEER WALLS BUILDING PLUMBING AND MECHANICAL SYSTEMS / SHAFTS / DUCTS / PIPES, FLOOR PLATES AND DEMISING WALLS ARE RESTRICTED AREA / NON-CONDOMINIUM PROPERTY EVEN IF NOT CROSS-HATCHED



-  Owner Access Areas / Common Easements
-  Restricted Areas / Non-Condominium Property / No Common Easement
-  Balcony areas (appurtenant to the unit listed)
-  Residence Units / Private Condominium Area
-  Commercial Area / Affordable Housing / Non-Condominium Property



SECTION 1



SECTION 2



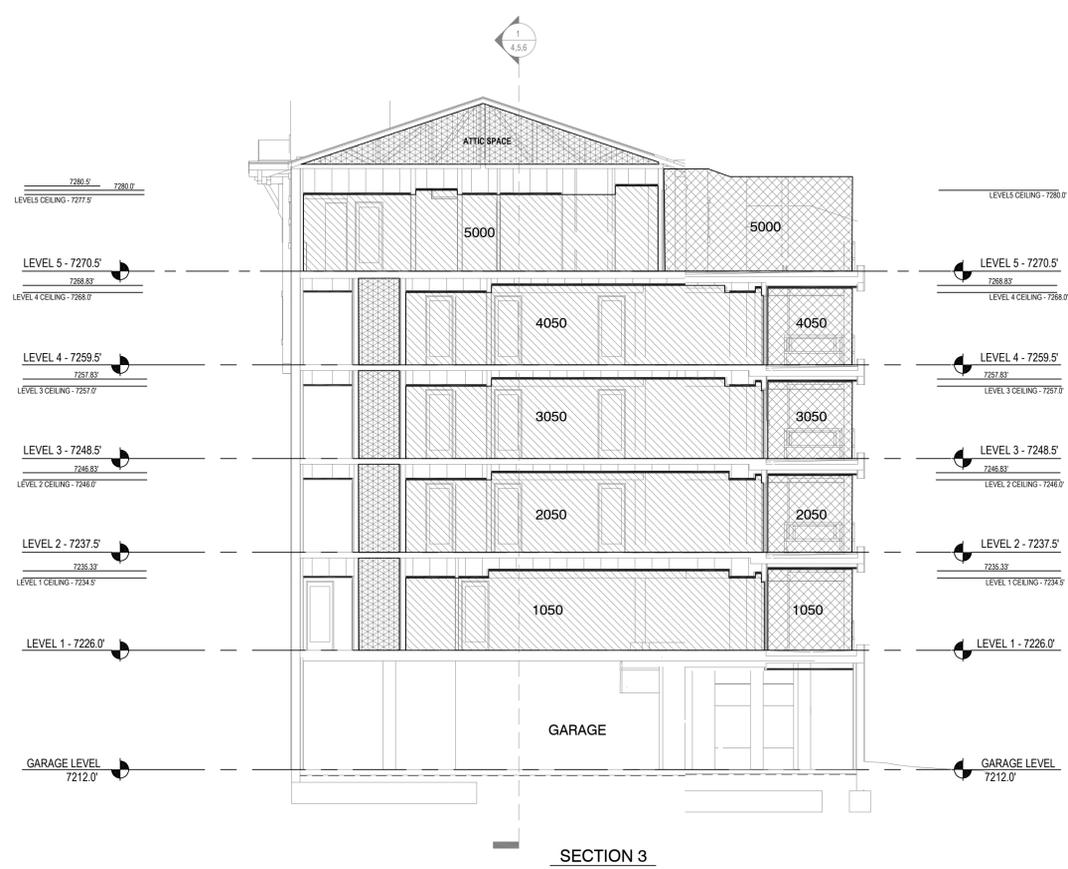
SUPPLEMENTAL SNOW PARK RESIDENCES
CONDOMINIUM PLAT
SECTIONS



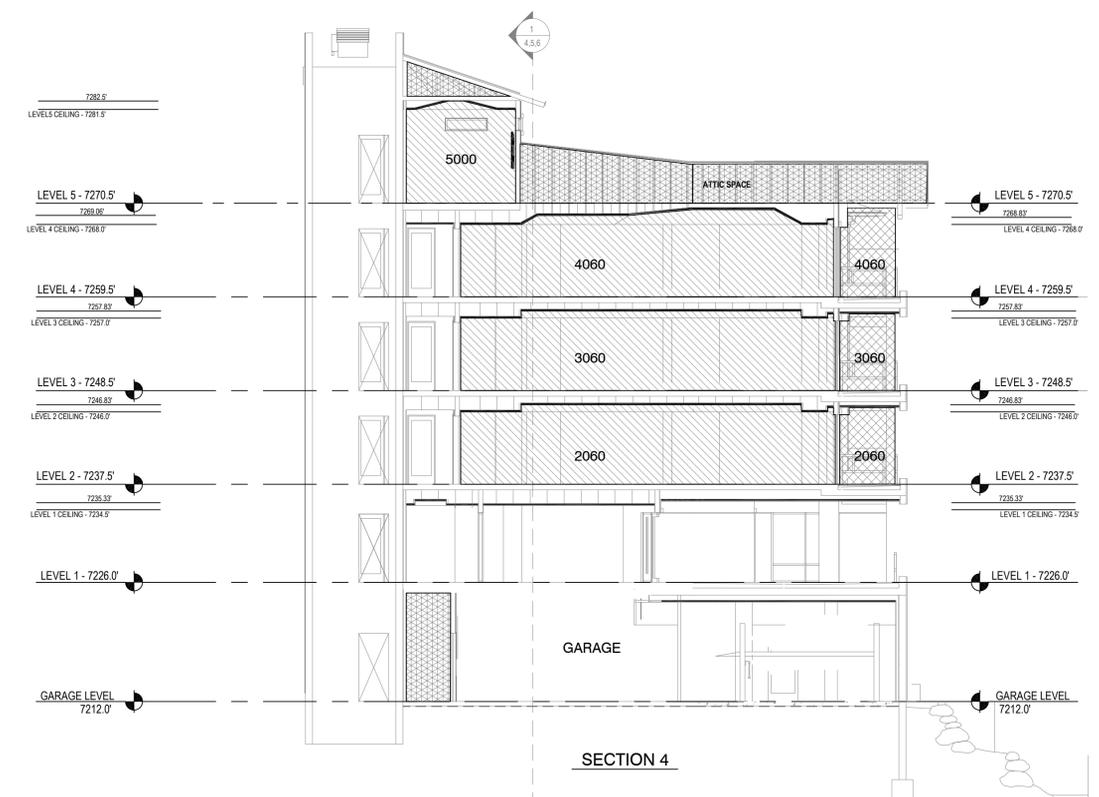
DWG DATE: July 2023
PLOT DATE: 01 July 2023

SHEET
7
OF
8

NOTE: ALL EXTERIOR WALLS, STRUCTURAL COLUMNS, AND SHEER WALLS BUILDING PLUMBING AND MECHANICAL SYSTEMS / SHAFTS / DUCTS / PIPES, FLOOR PLATES AND DEMISING WALLS ARE RESTRICTED AREA / NON-CONDOMINIUM PROPERTY EVEN IF NOT CROSS-HATCHED



- Owner Access Areas / Common Easements
- Restricted Areas / Non-Condominium Property / No Common Easement
- Balcony areas (appurtenant to the unit listed)
- Residence Units / Private Condominium Area
- Commercial Area / Affordable Housing / Non-Condominium Property



NOTE: ALL EXTERIOR WALLS, STRUCTURAL COLUMNS, AND SHEER WALLS BUILDING PLUMBING AND MECHANICAL SYSTEMS / SHAFTS / DUCTS / PIPES, FLOOR PLATES AND DEMISING WALLS ARE RESTRICTED AREA / NON-CONDOMINIUM PROPERTY EVEN IF NOT CROSS-HATCHED

SUPPLEMENTAL SNOW PARK RESIDENCES
 CONDOMINIUM PLAT
 SECTIONS

TWIN PEAKS
 Engineering & Land Surveying
 2264 NORTH 1450 EAST LEHI, UTAH 84043
 (801) 450-3511

DWG. DATE:	July 2023
PLOT. DATE:	01 July 2023
SHEET	8
OF	8